

10/16/01  
JC893 U.S. PTO



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PTO/SB/05 (12/97)

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	KING-PACKAGE	Total Pages	39
	First Named Inventor or Application Identifier			
	KING			
	Express Mail Label No.	EL695228993US		

10/16/01  
JC893 U.S. PTO  
09/981334



<b>APPLICATION ELEMENTS</b>  See MPEP chapter 600 concerning utility patent application contents	TO <b>Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</b>
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages [ 23 ]]</p> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets [ 14 ]]</p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration [Total Sheets [ 2 ]]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]</p> <p><input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting Inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p>	
<b>ACCOMPANYING APPLICATION PARTS</b>	
<p>8. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73 (b) Statement (when there is an assignee) [ ] Power of Attorney</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>14. <input type="checkbox"/> Small Entity Statement(s) [ ] Statement filed in prior application. Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Other: a) Make the references on the parent application(s) of record herein (see MPEP 2001.06(b)). b)</p>	
<p>17. If a <b>CONTINUING APPLICATION</b>, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: _____</p>	
<b>18. CORRESPONDENCE ADDRESS</b>	
 <b>00545</b>  PATENT TRADEMARK OFFICE	<b>Anthony H. Handal Reg. No. 26,275</b> <b>Roger Pitt Reg. No. 46,996</b> <b>Phone: (203) 838-8589</b> <b>Fax: (203) 838-8794</b>

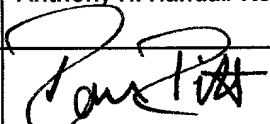
<h1 style="text-align: center;">FEE TRANSMITTAL</h1> <h2 style="text-align: center;">FOR FY 2001</h2> <p style="text-align: center;"><i>Patent fees are subject to annual revision</i></p>		<i>Complete if Known</i>	
		Application Number	Unknown
		Filing Date	Herewith
		First Named Inventor	KING
		Examiner Name	Unknown
		Group / Art Unit	Unknown
Total Amount of Payment	(\$) <b>370.00</b>	Attorney Docket No.	KING-PACKAGE

METHOD OF PAYMENT	
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <b>08-0570</b> Deposit Account Name: <b>Handal &amp; Morofsky</b> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

FEE CALCULATION																									
<b>1. BASIC FILING FEE:</b>																									
Large Entity		Small Entity																							
Fee Code	Fee(s)	Fee Code	Fee(s)	Fee Description	Fee Paid																				
101	740	201	370	Utility filing fee	\$370.00																				
106	330	206	165	Design filing fee																					
107	510	207	255	Plant filing fee																					
108	740	208	370	Reissue filing fee																					
114	160	214	80	Provisional filing fee																					
<b>SUBTOTAL (1)</b>					<b>(\$)<b>370.00</b></b>																				
<b>2. EXTRA CLAIM FEES:</b>																									
<table style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td></td> <td style="text-align: center;">Extra Claims</td> <td style="text-align: center;">Fee from below</td> <td style="text-align: center;">Fee Paid</td> </tr> <tr> <td>Total Claims</td> <td><input type="checkbox"/> -24**</td> <td>= <input type="checkbox"/></td> <td>x <input type="checkbox"/> [ 9 ]</td> <td>= <input type="checkbox"/></td> </tr> <tr> <td>Independent Claims</td> <td><input type="checkbox"/> -3**</td> <td>= <input type="checkbox"/></td> <td>x <input type="checkbox"/> [ 40 ]</td> <td>= <input type="checkbox"/></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td>= <input type="checkbox"/></td> <td>x <input type="checkbox"/></td> <td>= <input type="checkbox"/></td> </tr> </table>								Extra Claims	Fee from below	Fee Paid	Total Claims	<input type="checkbox"/> -24**	= <input type="checkbox"/>	x <input type="checkbox"/> [ 9 ]	= <input type="checkbox"/>	Independent Claims	<input type="checkbox"/> -3**	= <input type="checkbox"/>	x <input type="checkbox"/> [ 40 ]	= <input type="checkbox"/>	Multiple Dependent		= <input type="checkbox"/>	x <input type="checkbox"/>	= <input type="checkbox"/>
		Extra Claims	Fee from below	Fee Paid																					
Total Claims	<input type="checkbox"/> -24**	= <input type="checkbox"/>	x <input type="checkbox"/> [ 9 ]	= <input type="checkbox"/>																					
Independent Claims	<input type="checkbox"/> -3**	= <input type="checkbox"/>	x <input type="checkbox"/> [ 40 ]	= <input type="checkbox"/>																					
Multiple Dependent		= <input type="checkbox"/>	x <input type="checkbox"/>	= <input type="checkbox"/>																					
** or number previously paid, if greater. For Reissues, see below																									
Large Entity		Small Entity																							
Fee Code	Fee(s)	Fee Code	Fee(s)	Fee Description	Fee Paid																				
103	18	203	9	Claims in excess of 20																					
102	84	202	42	Independent claims in excess of 3																					
104	280	204	140	Multiple dependent claim, if not paid																					
109	84	209	42	**Reissue independent claims over original patent																					
110	18	210	9	** Reissue claims in excess of 20 and over original patent																					
<b>SUBTOTAL (2)</b>					<b>(\$)</b>																				

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Application Number: Unknown Filing Date: Herewith

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity		Small Entity			
Fee Code	Fee(s)	Fee Code	Fee(s)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					
* Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>(\$)</b>
SUBMITTED BY				Complete (if applicable):	
Typed or Printed Name	Anthony H. Handal/ Roger Pitt			Reg. Number	26,275/46,996
Signature			Date	October 16, 2001	Deposit Acct User ID 080570

RECEIVED OCT 16 2001

# HANDAL & MOROFSKY

Counsellors at Law

80 Washington Street  
Norwalk, Connecticut 06854

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Paul Morofsky 1926-1986  
District of Columbia Office  
American Center - Tysons Corner  
Suite 500  
8300 Boone Boulevard  
Vienna, Virginia 22182

October 16, 2001

## BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Theresa Ann KING  
New U.S. Patent Application  
Application No. Unknown Filed: Herewith  
Attorney Docket No. KING-PACKAGE  
"PACKAGE FOR CONTROLLING DIETARY CALORIC INTAKE"

SIR:

We enclose herewith:

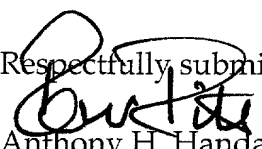
- ☒ Utility Patent Application Transmittal Letter;
- ☒ Fee Transmittal Form;
- ☒ New U.S. Patent Application including Specification ( 16 pp),  
Claims ( 6 pp) and Abstract (1 pp);
- ☒ Declaration;
- ☒ Fourteen (14) Sheets of Drawings;
- ☒ Check for \$370.00 (Blooming Cookies, see Fee Transmittal);
- ☒ Non Publication Request;
- ☒ Acknowledgment Postcard.

SMALL ENTITY: Applicant is entitled to small entity status.

The Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 08-0570.

Applicant hereby petitions under 37 CFR 1.136 or other applicable rule to have the response period extended the number of months necessary to render the attached communication timely if a petition is required.

Respectfully submitted,

  
Anthony H. Handal  
Reg. No. 26,275  
Roger Pitt  
Reg. No. 46,996

Express Mail Label No.  
EL695228993US



09981334-101601

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Theresa Ann KING

Atty Docket Number

KING-PACKAGE

Title: PACKAGE FOR CONTROLLING  
DIETARY CALORIC INTAKE

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Oct. 16, 2001

Date



Anthony Handal  
Roger Pitt

Reg. No. 26,275

Reg. No. 46,996

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.]

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**